



General Assembly

February Session, 2000

Raised Bill No. 404

LCO No. 1627

Referred to Committee on Education

Introduced by:
(ED)

An Act Concerning School Paraprofessionals.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 10-183b of the general statutes is repealed and the
2 following is substituted in lieu thereof:

3 As used in this chapter, unless the context otherwise requires:

4 (1) "Actuarial reserve basis" means a basis under which the
5 liabilities of the retirement system are determined under acceptable
6 actuarial methods and under which assets are accumulated under a
7 program designed to achieve a proper balance between the
8 accumulated assets and the liabilities of the system.

9 (2) "Amortization of unfunded liabilities" means a systematic
10 program of annual payments determined as a level per cent of
11 expected member annual salaries in lieu of a lump sum payment.

12 (3) "Annual salary" means the annual salary rate for service as a
13 Connecticut teacher during a school year but not including unused
14 sick leave, unused vacation, terminal pay, coaching or extra duty
15 assignments, unless compensation for coaching or extra duty

16 assignment was included in salary for which contributions were made
17 prior to July 1, 1971. In no event shall annual salary include amounts
18 determined by the board to be included for the purpose of inflating the
19 member's average annual salary. The inclusion in annual salary of
20 amounts paid to the member, in lieu of payment by the employer for
21 the cost of benefits, insurance, or individual retirement arrangements
22 which in prior years had been paid by the employer and not included
23 in the member's annual salary, shall be prima facie evidence that such
24 amounts are included for the purpose of inflating the member's
25 average annual salary. Annual salary shall not include payments the
26 timing of which may be directed by the member. Annual salary shall
27 not include payments to a superintendent pursuant to an individual
28 contract between such superintendent and a board of education, of
29 amounts which are not included in base salary.

30 (4) "Average annual salary" means the average annual salary
31 received during the three years of highest salary.

32 (5) "Board" means the Teachers' Retirement Board.

33 (6) "Child" means a natural child, an adopted child, or a stepchild of
34 a deceased member who has been a stepchild for at least one year
35 immediately prior to the date on which the member died. A child is a
36 "dependent child" of a deceased member if at the time of the member's
37 death (A) the member was living with the child or providing or
38 obligated to provide, by agreement or court order, a reasonable
39 portion of the support of the child and (B) the child (i) is unmarried
40 and has not attained age eighteen or (ii) is disabled and such disability
41 began prior to the child attaining age eighteen.

42 (7) "Contributions" mean amounts withheld pursuant to this chapter
43 and paid to the board by an employer from compensation payable to a
44 member. "Mandatory contributions" are contributions required to be
45 withheld under this chapter and consist of "six per cent contributions"
46 and "one per cent contributions". "Voluntary contributions" are
47 contributions by a member authorized to be withheld under section

48 10-183i.

49 (8) "Credited interest" means interest at the rate from time to time
50 fixed by the board which shall be substantially that earned by the
51 funds of the system. Such interest shall be compounded annually on
52 the last day of June.

53 (9) "Current service" means service rendered in the current fiscal
54 year.

55 (10) "Dependent former spouse" means a former spouse of a
56 deceased member who (A) has in his or her care a dependent child of
57 the deceased member; and (B) was receiving, or was entitled to receive,
58 from the deceased member at the time of the death of the deceased
59 member, at least one-half of his or her support; and (C) has not
60 remarried; and (D) is the parent of the child or adopted the child while
61 married to the member and before the child attained age eighteen or,
62 while married to the member, both of them adopted the child before
63 the child attained age eighteen.

64 (11) "Dependent parent" means a parent of a deceased member who
65 (A) has reached the age of sixty-five; and (B) has not married after the
66 death of the member; and (C) was receiving at least one-half of his or
67 her support from the member at the time of the member's death and
68 files proof of such support within two years of the date of the
69 member's death; and (D) is not receiving, or entitled to a federal or
70 state old age benefit based on the parent's own earnings, equal to or
71 greater than the amount the parent would be entitled to as a
72 dependent parent under this chapter. A "parent of a deceased member"
73 is (A) the mother or father of a deceased member; or (B) a stepparent of
74 a deceased member by a marriage entered into before the member
75 attained age sixteen; or (C) an adopting parent of a deceased member
76 who adopted the deceased member before the member attained age
77 sixteen.

78 (12) "Designated beneficiary" means a person designated on a form

79 prescribed by the board by a member to receive amounts which
80 become payable under this chapter as the result of the member's death
81 whether before or after retirement. If a designated beneficiary is not
82 living at the time of the death of a member, the amounts that would
83 have been payable to the designated beneficiary shall be paid to the
84 member's estate.

85 (13) "Disabled" means inability to engage in any substantial gainful
86 activity by reason of any medically determinable physical or mental
87 impairment which can be expected to result in death or to be of long-
88 continued and indefinite duration, except that during the first twenty-
89 four months that a member is receiving a disability allowance,
90 "disabled" means the inability to perform the usual duties of his
91 occupation by reason of any such impairment.

92 (14) "Employer" means an elected school committee, a board of
93 education, the State Board of Education, the board of governors or any
94 of its constituent units, the governing body of the Children's Center,
95 the E. O. Smith School and any other activity, institution or school
96 employing members.

97 (15) "Formal leave of absence" means any absence from active
98 service in the public schools of Connecticut formally granted by a
99 member's employer as evidenced by contemporary records of the
100 employer, provided in the case of an absence due to illness, medical or
101 other evidence of such illness may, at the discretion of the Teachers'
102 Retirement Board, be accepted in lieu of evidence of the formal
103 granting of a leave.

104 (16) "Formal application of retirement" means the member's
105 application, birth certificate or notarized statement supported by other
106 evidence satisfactory to the board, in lieu thereof, records of service
107 when required by the board to determine a salary rate or years of
108 creditable service, legal teacher's certificate, statement of payment plan
109 and, in the case of an application for a disability benefit, a physician's
110 statement of health.

111 (17) "Funding" means the accumulation of assets in advance of the
112 payment of retirement allowances in accordance with a definite
113 actuarial program.

114 (18) "Member" means any Connecticut teacher or school
115 paraprofessional employed for an average of at least one-half of each
116 school day, except that no teacher or school paraprofessional who
117 under any provision of the general statutes elects not to participate in
118 the system shall be a member unless and until the teacher or school
119 paraprofessional elects to participate in the system. Members teaching
120 or employed as a school paraprofessional in a nonpublic school
121 classified as a public school by the board under the provisions of this
122 section may continue as members as long as they continue as teachers
123 or school paraprofessionals in such school even if the school ceases to
124 be so classified. A former teacher or school paraprofessional who has
125 not withdrawn his or her accumulated contributions shall be an
126 "inactive member". A member who, during the period of a formal
127 leave of absence granted by his or her employer, but not exceeding an
128 aggregate of ten school months, continues to make mandatory
129 contributions to the board, retains his or her status as an active
130 member.

131 (19) "Normal cost" means the amount of contribution which the
132 state is required to make into the retirement fund in order to meet the
133 actuarial cost of current service.

134 (20) "Public school" means any day school conducted within or
135 without this state under the orders and superintendence of a duly
136 elected school committee, a board of education, the State Board of
137 Education, the board of governors or any of its constituent units, the E.
138 O. Smith School, the Children's Center, joint activities of boards of
139 education authorized by subsection (b) of section 10-158a and any
140 institution supported by the state at which teachers are employed or
141 any incorporated secondary school not under the orders and
142 superintendence of a duly elected school committee or board of

143 education but located in a town not maintaining a high school and
144 providing free tuition to pupils of the town in which it is located, and
145 which has been approved by the State Board of Education under the
146 provisions of part II of chapter 164, provided that such institution or
147 such secondary school is classified as a public school by the retirement
148 board.

149 (21) "Retirement allowance" means payments for life derived from
150 member contributions, including credited interest, and contributions
151 from the state.

152 (22) "School paraprofessional" means an employee of a public
153 school who does not possess a certificate issued by the State Board of
154 Education and who serves as an instructional assistant in a public
155 school.

156 [(22)] (23) "School year" means the twelve months ending on June
157 thirtieth of each year.

158 [(23)] (24) "Surviving spouse" means a widow or widower of a
159 deceased member who (A) was living with the member at the time of
160 the member's death, or receiving, or entitled by court order or
161 agreement to receive, regular support payments from the member and
162 (B) has not remarried.

163 [(24)] (25) "Survivors" means a surviving spouse, a dependent
164 former spouse, a dependent child and a dependent parent.

165 [(25)] (26) "System" means the Connecticut teachers' retirement
166 system.

167 [(26)] (27) "Teacher" means (1) any teacher, permanent substitute
168 teacher, principal, assistant principal, supervisor, assistant
169 superintendent or superintendent employed by the public schools in a
170 professional capacity while possessing a certificate or permit issued by
171 the State Board of Education, provided on and after July 1, 1975, such
172 certificate shall be for the position in which the person is then

173 employed, (2) certified personnel who provide health and welfare
174 services for children in nonprofit schools, as provided in section 10-
175 217a, under an oral or written agreement, (3) any person who is
176 engaged in teaching or supervising schools for adults if the annual
177 salary paid for such service is equal to or greater than the minimum
178 salary paid for a regular, full-time teaching position in the day schools
179 in the town where such service is rendered, and (4) a member of the
180 professional staff of the State Board of Education or of the Board of
181 Governors of Higher Education or any of its constituent units. A
182 "permanent substitute teacher" is one who serves as such for at least
183 ten months during any school year.

184 [(27)] (28) "Unfunded liability" means the actuarially determined
185 value of the liability for service before the date of the actuarial
186 valuation less the accumulated assets in the retirement fund.

187 Sec. 2. Subsection (a) of section 10-183jj of the general statutes is
188 repealed and the following is substituted in lieu thereof:

189 (a) A local or regional board of education may establish a retirement
190 incentive plan for teachers, as defined in subdivision (1) of subsection
191 [(26)] (27) of section 10-183b, as amended by this act, in its employ who
192 are members of the teachers' retirement system. The plan shall provide
193 for purchase by the board of education of additional credited service
194 for such members who choose to participate in the plan and for
195 payment by the board of education of the entire cost of such additional
196 credited service. Any such plan shall specify a maximum number of
197 years, not exceeding five years, of additional credited service which
198 may be purchased under the plan. Any such plan shall have a two-
199 month application period.

200 Sec. 3. (NEW) (a) For purposes of this section and section 4 of this
201 act, "school paraprofessional" means an employee of a local or regional
202 board of education who does not possess a certificate issued by the
203 State Board of Education and who serves as an instructional assistant
204 for such local or regional board of education.

205 (b) The Department of Education shall establish a minimum salary
206 for school paraprofessionals and shall provide, within available
207 appropriations, grants to local and regional boards of education to
208 assist such boards of education in paying such salary and health and
209 pension benefits to their school paraprofessionals.

210 (c) The department shall establish a school paraprofessional to
211 student ratio and shall provide, within available appropriations, grants
212 to local and regional boards of education to assist such boards of
213 education in hiring additional school paraprofessionals.

214 (d) The department shall provide, within available appropriations,
215 grants to local and regional boards of education to assist such boards
216 of education in establishing incentive and certification programs for
217 school paraprofessionals. Such programs shall be based on a plan
218 approved by the department. Such plans (1) shall include a provision
219 for mentors for beginning school paraprofessionals, (2) may include
220 professional development, curriculum development, peer assessment,
221 peer counseling and bachelor's degree or a career advancement ladder
222 for school paraprofessionals, and (3) shall provide for consideration of
223 a school paraprofessional's performance, experience, job-related
224 education and advanced academic training for purposes of the
225 program.

226 (e) Local and regional boards of education may apply for grants
227 pursuant to this section at such time and in such manner as the
228 Commissioner of Education prescribes.

229 (f) Expenditure reports shall be filed with the department as
230 requested by the commissioner. Local and regional boards of
231 education shall refund (1) any unexpended amounts at the close of the
232 program for which the grant is awarded, and (2) any amounts not
233 expended in accordance with the approved grant application.

234 Sec. 4. (NEW) (a) Each local and regional board of education shall
235 establish an in-service training program for its school

236 paraprofessionals, as defined in section 3 of this act. The program shall
 237 be approved by the State Board of Education. Not later than a date
 238 prescribed by the Commissioner of Education, each local and regional
 239 board of education shall develop, with the advice and assistance of the
 240 school paraprofessional, teachers and administrators employed by
 241 such boards, a comprehensive professional development plan, to be
 242 implemented not later than the school year commencing in 2001. Such
 243 plan shall provide for the ongoing and systematic assessment and
 244 improvement of its school paraprofessionals. The State Board of
 245 Education shall develop guidelines to assist local and regional boards
 246 of education in determining the objectives of the plans and in
 247 coordinating staff development activities with student needs and
 248 school programs.

249 (b) The Department of Education, in cooperation with one or more
 250 regional educational service centers, may provide institutes annually
 251 for school paraprofessionals. Such institutes shall serve as model
 252 programs of professional development and shall be taught by
 253 exemplary school paraprofessionals, teachers and administrators and
 254 by other qualified individuals as selected by the department.

255 Sec. 5. This act shall take effect July 1, 2000.

Statement of Purpose:

To include school paraprofessionals in the Teachers' Retirement System. To establish a minimum salary for paraprofessionals and to provide grants to assist school districts in paying such salary and health and pension benefits for paraprofessionals. To establish a paraprofessional to student ratio and to provide grants to assist school districts to hire more paraprofessionals. To provide grants to assist school districts to establish incentive and certification programs for paraprofessionals. To require school districts to provide in-service training programs for paraprofessionals and to authorize the Department of Education to provide model professional development institutes for paraprofessionals.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]